

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES

v.

ANTHONY BUCCI

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No. 04-cr-10194-RCL

HEARING REQUESTED

MOTION TO MODIFY TERMS AND CONDITIONS OF RELEASE

The defendant respectfully moves the Court to modify the terms and conditions of his release as follows:

By permitting him to change his place of residence, together with his mother who is his third-party custodian, from his mother's residence in Medford, Massachusetts to a single-family dwelling at 26 Upland Road, Wakefield, Massachusetts, where his wife and child will be residing.

In support hereof, the defendant respectfully says:

1. His mother and third-party custodian is in severe financial straits, and needs to rent her condominium, where she and the defendant have been residing, in order to generate income. She has borrowed money to the point that her credit limit has been reached, and she is able to borrow no more.
2. His mother has a heart condition, and the stress caused by lack of income due to being unable to rent her condominium is exacerbating that condition.
3. His marriage has been severely strained by living apart from his wife and young son.
4. His son, who witnessed his arrest, needs the presence of his father in the home.
5. He has three other older children from a prior marriage with whom he has

- weekend visitation. He has been unable to take his older children for weekend visitation while he has been living at his mother's condominium because the unit is too small.
6. His mother, who is his third-party custodian, shall move into the new residence with him and his family.
  7. He is presently living in a condominium building with 56 units, in which people are constantly coming and going. The new residence is on a five-home cul-de-sac which is eminently more accessible and open to surveillance by the government.
  8. The other two co-defendants in this case have been permitted to reside at their usual residences.
  9. He has been on conditions of release for over six months, and has not had a single violation of the terms and conditions of his release.
  10. He has been receiving substance abuse and mental health counseling, and has been attending Alcoholics Anonymous meetings regularly.
  11. The requested change in conditions of release will not render him a risk of flight or a danger to any person or the community.
  12. A copy of the Certificate of Use & Occupancy issued by the Town of Wakefield Building Inspector and a letter from the defendant's mother shall be filed with the Clerk's office, and are specifically incorporated by reference herein.

The defendant respectfully requests a hearing on this motion, and estimates that the length thereof ought not to exceed fifteen minutes.

Anthony Bucci  
By his attorney,

/s/Michael F. Natola

February 22, 2005

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing motion has been served the above date, electronically and by first class mail, upon Assistant U.S. Attorney John T. McNeil.

/s/ Michael F. Natola

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